

MINUTES

**UTAH
PHYSICIANS
BOARD MEETING**

April 8, 2009

**Room 474 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:06 A.M.

ADJOURNED: 12:33 P.M.

Bureau Manager:

Noel Taxin

Board Secretary:

Karen McCall

Division Compliance Manager:

Debbie Harry

Board Members Present:

John W. Bennion, Ph.D., Acting Chairperson

Kristen Ries, MD

George C. Pingree, MD

Stephen E. Lamb, MD

James H. Pingree, MD

Elizabeth F. Howell, MD

Lori G. Buhler

James R. Fowler, MD

Board Members Absent:

Marc E. Babitz, MD

Richard J. Sperry, MD

Daniel J. Parker, MD

Guests:

Scott N. Cunningham, Attorney

DOPL Staff Present:

Dan Lau, AG

Karl Perry, AG

Rick Morton, AG Assistant

Kent Barnes, Sr. Business Analyst

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Miscellaneous Information

Ms. Taxin informed the Board that the changes to the Open Public Meetings Act were approved during the 2009 Legislative session. She stated the recording is put on a CD and must be immediately available to anyone who requests a copy for \$12.00. The unofficial minutes must be available within 3 working days from the date of the meeting.

Mr. Barnes stated the Division/Department is still in the process of how the CD recording of the meetings and unofficial minutes will be posted for immediate availability.

Ms. McCall informed the Board of the State Travel update regarding Board members who are employed with other government agencies. She reviewed the mileage and parking guidelines and stated if the Board members are being reimbursed or paid for their time from their State employer, mileage and/or parking then they will not receive reimbursement from the Division. Ms. McCall then requested those who are employed with other government agencies to write a statement to certify their reimbursement status.

Ms. Taxin explained that the Board requested the compliance update be given in the morning for those appointments and again in the afternoon for those appointments or to be given just prior to each probationer. She stated there are only morning appointments today and Ms. Harry was requested to update the Board just prior to each probationer.

MINUTES:

The minutes from the March 11, 2009 Board meeting were read.

Dr. George Pingree made a motion to approve the minutes with minor revisions. Dr. James Pingree seconded the motion. **The Board vote was unanimous.**

BUSINESS FROM PREVIOUS MEETING

Review Rules regarding AMA Code of Ethics, Violation of Professional Conduct and other rule changes

Ms. Taxin stated several drafts of the proposed rules have been sent out to the Board for review. She explained that she also made the same or similar revisions for the Osteopathic Physicians rules. Ms. Taxin stated she reviewed the last draft approved by the Board and found certain language in the unprofessional conduct section was inconsistent with the AMA Code of Ethics and redrafted accordingly. Ms. Taxin also stated she made several changes in the rules regarding testing information and references. Ms. Taxin requested the Board to review the draft one more time for any additional revisions prior to her sending it out to the Osteopathic Physicians Board and the Utah Medical Association for their review.

During a complete review and discussion of the proposed rules the Board suggested several minor revisions. The Board requested Ms. Taxin send the final draft out for them to review again and, if Ms. Taxin does not receive any additional feedback within a week, move forward and process through the system and send to the Utah Medical Association for their review.

APPOINTMENTS:

9:25 am

Debbie Harry, Compliance Update

Ms. Harry reported **Dr. Terry Sellers** is currently out of compliance with his Stipulation and Order due to his paperwork being submitted late. She stated he requested to be excused today and will meet in May. Ms. Harry stated Dr. Sellers is now working and has submitted a practice plan for the Board to review.

Following the review of the practice plan Dr. James Pingree made a motion to approve the plan. Dr. George Pingree seconded the motion. **The Board vote was unanimous.**

9:28 am

Debbie Harry, Compliance Update

Ms. Harry reported **Dr. Stephan J. Kitson** is currently in compliance. She stated Dr. Kitson submitted as much paperwork as he could as Colorado does not cooperate in assisting the probationers with paperwork with our State.

Dr. Ries reviewed the Colorado dates for Dr. Kitson's 5 year probation and the Utah dates. She asked if Colorado will terminate their probation in June of 2009 as indicated in the paperwork. She stated if Colorado does release him in June and he is living and working there she does not believe Utah should continue his probation.

Mr. Perry, AG, suggested the Board consider meeting less frequently with Dr. Kitson until he is able to document Colorado has terminated probation.

Following additional discussion regarding Dr. Kitson's probation in Colorado and in Utah, Mr. Perry suggested the Board ask Dr. Kitson if there is

any possibility Colorado will terminate his probation early and then make a decision regarding the Utah probation.

9:30 am

Dr. Stephan J. Kitson, Telephonic Probationary Interview

Dr. Kitson met for his telephonic probationary interview.

Dr. Ries conducted the interview.

Dr. Ries requested Dr. Kitson to update the Board regarding his work schedule and his probation in Colorado.

Dr. Kitson responded he is now working about 32 hours at a health care center. He stated his probation in Colorado is for 5 years with 18 months of monitoring, chart review and reports. Dr. Kitson stated he will have completed the 18 months in the summer of 2009. He stated he has been requested to see a psychiatrist for a quarterly update and his appointment is May 1, 2009.

Dr. Ries asked Dr. Kitson if his long term plans are to move to Utah or stay in Colorado. She also asked him to respond regarding his Utah probation, i.e.: if it has been helpful.

Dr. Kitson responded he is now putting his children through college so he plans to stay in Colorado for the next 4 or 5 years. He stated he also wants to complete the Colorado and Utah probations prior to making any plans for moving anywhere. He stated it has been helpful but he believes 5 years is excessive. He stated for Colorado he has a chart review every 3 months and does not always receive feedback or results of those reviews. He stated Colorado will only contact Utah if he is out of compliance with their Stipulation and Order.

Dr. Ries made a motion to have Dr. Kitson meet every 6 months based on his compliance with the Utah probation. Dr. Howell seconded the motion. The Board vote was unanimous.

The Board determined Dr. Kitson is currently in compliance with his Utah Stipulation and Order.

An appointment was made for Dr. Kitson to meet again October 14, 2009.

Ms. Taxin reminded Dr. Kitson to continue to submit his paperwork quarterly and by the 28th of the month.

9:43 am

Debbie Harry, Compliance Update

Ms. Harry reported **Dr. Kittya N. Paigne** is currently out of compliance with his Memorandum of Understanding (MOU) as his paperwork was not received prior to the 28th of March 2009. Ms. Harry stated Ms. McCall called Dr. Paigne on April 7, 2009 to confirm if he would be meeting today and to remind him to submit the required paperwork. She stated Dr. Paigne informed Ms. McCall that he was still in California and would not be able to meet today. She stated she also called him and gave him the website to locate the report forms and informed him that it would look better when he meets with the Board if the reports were submitted. Ms. Harry stated she referred Dr. Paigne to his MOU to review the requirements of his probation. She stated he should meet May 13, 2009 to have his practice plan reviewed as he cannot work in Utah until the practice plan has been approved. Ms. Harry stated Dr. Paigne stated he resigned from his position in California on March 24, 2009 and mentioned he would like to open a private practice in Utah.

9:45 am

Dr. Kittya N. Paigne, Telephonic Probationary Interview

Dr. Paigne met for his telephonic probationary interview.

Dr. Fowler conducted the interview.

Dr. Paigne informed the Board that he resigned his position at Universal Care in California on March 24, 2009. He stated last week he completed the first part of the PACE program in San Diego, California but plans to come to Salt Lake to look for office space for private practice.

Dr. Fowler asked Dr. Paigne if he understands his MOU requires paperwork to be submitted whether he is working or not.

Dr. Paine responded he now understands as he talked with Ms. McCall and Ms. Harry and was informed by both that his paperwork must be submitted.

Dr. Fowler informed Dr. Paine when he does move to Utah he must submit a practice plan for the Board to review and approve prior to his commencing practice in Utah. He asked if Dr. Paine has someone in mind to be his Utah supervisor as he is also required to have a Board approved supervisor to review charts and submit reports.

Dr. Paine responded Dr. Babitz provided him with a name of someone but he has not yet made contact.

Ms. Taxin asked Dr. Paine why he resigned his employment in California.

Dr. Paine responded he needs to get moved to Salt Lake as soon as possible to be where his children are living.

Dr. James Pingree asked Dr. Paine to explain his type of practice.

Dr. Paine responded he does general practice, primary care and internal medicine. He then explained he contacted his California supervisor, Dr. Adams, to complete the supervisor forms and Dr. Paine faxed the forms last night. He stated he also faxed the Certificate of Credit of requirements for the California CME. He asked if Ms. Harry received the information.

Ms. Harry responded she will check after the meeting.

Dr. Fowler stated submitting required paperwork is like keeping good medical records and charts, if the Board has not received the information it is like it has not been done. He again reminded Dr. Paine to be sure all paperwork is submitted by the 28th of the month.

Dr. Paine then stated he has a friend who is licensed in Utah as a Physical Therapist and has asked if they

could open an office together. He asked if there are any limitations in Utah that would prohibit them from sharing office space.

Dr. Fowler responded there are no limitations in Utah that would prohibit a Physician and Physical Therapist from sharing office space as long as each practices only within their scope of licensing.

The Board determined Dr. Paigne is out of compliance with his MOU based on paperwork not being received when due.

An appointment was made for Dr. Paigne to meet in person on May 13, 2009.

9:58 am

Debbie Harry, Compliance Update

Ms. Harry reported **Dr. Alan Heap** is currently out of compliance with his Stipulation and Order due to paperwork being late. She stated all his paperwork has been received but was late.

10:00 am

Dr. Alan Heap, Probationary Interview

Dr. Heap and Mr. Cunningham, attorney, met for Dr. Heap's probationary interview.

Dr. Howell conducted the interview.

Dr. Howell clarified she has been absent the last couple of months. She then asked if Dr. Spector is still acting as Dr. Heap's supervisor.

Dr. Heap responded Dr. Spector is still his supervisor.

Ms. Harry informed Dr. Heap that he is out of compliance as his paperwork was not received until April 5, 2009, which was late again.

Dr. Heap responded he understood he could wait until the end of the month to submit his paperwork so he waited.

Dr. Howell stated all paperwork is due the 28th of the month. She explained Dr. Heap's information must be received by that date or he will be out of compliance. She stated any prescriptions or additional paperwork after that date should be

submitted by the 28th of the following month.

Ms. Taxin stated the supervisor report was very brief as Dr. Spector wrote Dr. Heap's files look good and he met with Dr. Heap. She stated Dr. Spector should be writing how many files he reviewed, any problems he noticed and if he discussed the issues with Dr. Heap.

Dr. Heap did not respond.

Dr. Howell asked if Dr. Heap met for an evaluation.

Dr. Heap responded he met with Dr. Culbertson.

Ms. Taxin stated Dr. Culbertson wrote a note confirming Dr. Heap is a patient but there was no evaluation mentioned or what issues he is working on with Dr. Heap. Ms. Taxin stated in the last meeting Dr. Babitz requested information from Dr. Culbertson as it may explain Dr. Heap's medical/physical/mental health, but that it was voluntary.

Ms. Taxin stated she received Dr. Heap's triplicate copies of his prescriptions. She stated they were also submitted late. Ms. Taxin voiced concern about the triplicate copies as the dates on the first group started in the 2000 numbers and the dates of the second group were in the 1000 numbers with a section in the middle missing and one here and there by themselves. Ms. Taxin stated she also noticed Dr. Heap wrote notes on the back of several of the triplicate copies that she believes were suppose to be for the benefit of the supervisor. She also stated there were a few prescriptions with large amounts prescribed. Ms. Taxin stated it appears Dr. Heap is prescribing based on what he thinks the Board wants to see versus what is therapeutic. She requested Dr. Heap to explain.

Dr. Heap responded the Board has put a lot of pressure on him. He stated he has reviewed his prescriptions and if he believes the patient can/should cut back then he has cut back on the prescription but has not cut back if he believes the patient really needs a specific

amount.

Dr. Howell commented the PDR has a recommended dosage amount but Physicians have found people function better on lower doses. She stated she noticed Dr. Heap has some patients on several kinds of medications.

Dr. Heap responded he has some patients who have taken specific medications for 20 years and don't want lower doses. He stated he also has patients who are anxious and also depressed and they need different medications.

Dr. Howell noted Dr. Heap wrote "documented" in his some of his notes on the back of his triplicate copies. She stated he needs to put down what was documented so the supervisor has full understanding. She stated some triplicate copies were very faint and a few had "void" written on them but it was not clear if Dr. Heap wrote "void" on the original prescriptions.

Dr. Heap responded he did write "void" on the original prescriptions. He stated he has had secretary problems and they have had problems ordering the forms he uses. Dr. Heap stated he uses different prescription pads for narcotics than he uses for non-narcotics. He stated he has been really trying to do things right this month.

Dr. Howell noted one prescription which was post dated with a note on the back that clarified the patient lives a long way away. She again clarified prescriptions cannot be post dated. She explained Dr. Heap may write up to 3 prescriptions on the same date with a note which states "Do not fill until ..." with fill dates 30 and 60 days out. She reminded Dr. Heap of this discussion during a prior appointment and stated DEA guidelines have changed.

Ms. Taxin recommended Dr. Heap review the DEA guidelines which are available on their website.

Dr. Howell then asked Dr. Heap if he has changed his phone number and to explain how he deals with

stressors.

Dr. Heap responded he has not changed his phone number or his address. He stated he now sees Dr. Culbertson and is doing well in dealing with the stressors in his life. He stated he sees Dr. Culbertson once a month.

The Board determined Dr. Heap is out of compliance with his Stipulation and Order as his paperwork was received after the due date, his prescriptions were not in order and some were missing.

An appointment was made for Dr. Heap to meet again May 13, 2009.

Mr. Cunningham requested flexibility on the meeting date as he will out of town on May 13, 2009.

Mr. Lau asked if Mr. Cunningham could meet telephonically.

Mr. Cunningham responded he will be unable to meet telephonically on that date.

The Board requested Dr. Heap meet June 10, 2009 in order to accommodate Mr. Cunningham's schedule.

Mr. Cunningham requested the time be 10:00 am on June 10, 2009.

Ms. Taxin responded she will try to make the appointment about 10:00 am.

10:38 am

Debbie Harry, Compliance Update

Ms. Harry reported **Dr. Michael Goates** is currently in compliance. She stated he has submitted notification of closing his private practice and returning as an employee to the Utah State Hospital. Ms. Harry stated Dr. Brown, the proposed supervisor, has not submitted any reports, resume or letter confirming he has read and understands the Stipulation and Order and is willing to assist Dr. Goates in being successful in his probation.

Ms. Taxin stated she talked with the hospital

administrator who informed her Dr. Goates previous supervisor did not read in full or understand the Stipulation and Order requirements. She stated the supervisor was doing general supervision by making sure Dr. Goates was on time, treating patients, etc. Ms. Taxin stated the administrator informed her that Dr. Brown, the proposed supervisor, is not willing to meet with the Board or to meet weekly with Dr. Goates. She stated Utah State Hospital cannot allow Dr. Goates to hire someone from the outside to come in to supervise and review charts.

Ms. Taxin stated Dr. Goates file was very confusing due to all the amendments and she tried to consolidate the requirements into one document and Dr. Goates may have some questions. She stated the Board needs confirmation regarding Dr. Goates discussing with his legal counsel the issue of an additional 5 years of probation.

Ms. Taxin stated the Utah State Hospital called regarding the chaperone requirement. It was stated that the section was confusing so Ms. Taxin amended the language to read more clearly and will now allow the agency to choose the chaperone if he works in an agency. She stated if Dr. Goates works in private practice then he has to have the chaperone pre-approved by the Division/Board. Ms. Taxin explained there is also a section which says Dr. Goates probation terminates May 16, 2010 or continues until the Board determines it is unnecessary. She stated a firm date cannot be included without Dr. Goates agreeing as it changes the current Stipulation and Order.

Mr. Lau remarked a person could read that section to also mean 2010 or earlier. He reminded the Board Dr. Goates violated the original Stipulation and Order from 2003. He stated the document would be clearer if Dr. Goates would agree to rewriting the Stipulation and Order as one document.

10:40 am

Dr. Michael Goates, Probationary Interview

Dr. Goates met for his probationary interview.

Dr. Lamb conducted the interview.

Dr. Lamb congratulated Dr. Goates for having all negative drug tests. He encouraged Dr. Goates to continue testing negative.

Dr. Goates thanked Dr. Lamb. He stated he has not been employed since early November 2008 and is anxious to get back to work.

Dr. Lamb informed the Board of the letter Dr. Goates submitted with a practice plan for them to review and his request for Dr. Wayne Brown to be approved as his supervisor at Utah State Hospital.

Dr. Goates asked if the Board received his fax this morning petitioning for an amendment to the new amended Order to remove the requirement of a supervisor to review his charts.

Ms. Harry responded she did not receive his fax prior to the meeting but would check now and make copies for the Board if it has been received. She returned with Dr. Goates fax and copies for the Board.

Dr. Goates stated Dr. Brown supervises but cannot see how he would be able to co-manage Dr. Goates prescribing practice of his CS's based on Dr. Brown's time commitment and the liability insurance would not allow for it and being paid by the State of Utah prohibits Dr. Goates from obtaining a private supervisor. He stated the requirement was included when he did not have a DEA number and he does not believe that section applies anymore. He asked if the Order could be amended so the supervisor does not have to sign off on the CS's.

Ms. Taxin explained co-management of CS's would be checking to be sure any prescription is appropriate for the patient. She stated the supervision requirement language in Dr. Goates Stipulation and Order is standard for probationers for the supervisor to co-manage and review charts.

Dr. Howell stated Dr. Brown would be considered the work place supervisor. She stated Dr. Brown

would not be responsible for Dr. Goates medical care as it is not like supervising a PA or medical assistant.

Ms. Taxin explained Dr. Brown would not be responsible for Dr. Goates behaviors. She stated if he writes a wrong prescription it is not Dr. Brown's fault. She stated the goal is for Dr. Goates to have someone who supports him, gives him suggestions on more effective methods and helps him be successful in his probation. She asked if Dr. Goates has talked with his legal counsel.

Dr. Goates responded he talked briefly with his legal counsel who was going to review everything.

Dr. Lamb commented there appeared to be many requirements in the original Stipulation and Order that may no longer apply to Dr. Goates current practice. He stated it is reasonable for Dr. Goates to request some amendments. The intent is not to have anyone legally responsible for what Dr. Goates does but to supervise his practice. He stated the supervisor would have to review a certain number of charts and fill out a report but is not responsible for Dr. Goates medical decisions/practice.

Dr. Howell comment the supervisor should be able to evaluate Dr. Goates work and there may be some specific areas the Board might ask the supervisor to review. She stated the workplace supervisor is usually the person the probationer directly reports to.

Dr. Goates responded previously there was an amended Order regarding a chaperone. He again stated the Utah State Hospital is a closed medical facility and he would not be able to bring a chaperone from the outside. He stated he believes the Order could be simplified. He requested the Order be amended with number 10 requirement regarding supervision deleted. Dr. Goates stated he believes all other requirements are acceptable.

Dr. Lamb recommended Dr. Goates work with Ms. Taxin, Mr. Lau and his own attorney regarding

any changes and/or rewrites of the new amended Order.

Dr. Goates responded he needs the revisions made so he can work as he cannot pay attorney fees without income.

Mr. Lau asked if Dr. Goates is saying Dr. Brown is unwilling to comply with the supervision section of the new amended Order.

Dr. Goates responded Mr. Lau is correct. He stated he has tried to explain. He stated there are so many agencies involved with Utah State Hospital that there does not appear to be a resolution to this specific requirement.

Ms. Taxin stated she could make an amendment requiring a Board approved supervisor and the supervisor would be required to review a specific number of charts to be sure any CS prescriptions are appropriate for the diagnosis. She stated the number of charts to review is usually 20%. She stated the supervisor report may document he talked with a specific nurse who reported she reviewed the required charts and they appear appropriate, or not appropriate. She stated the supervisor could then document he discussed specific issues with Dr. Goates and report the result of the discussion. She stated the supervisor is the eyes and ears for the Board but if Dr. Brown is unwilling to do what is required then there is an issue regarding Dr. Goates working there.

Dr. Howell requested Ms. Taxin include a specific frequency, i.e.: once a week, with maybe less frequency as time goes on. She stated the supervisor duties might be easier than if Dr. Goates was in private practice.

Mr. Lau recommended Dr. Brown meet with the Board in person or telephonically for the Board to explain their expectations and the requirements. He stated the discussion may alleviate Dr. Brown's concerns.

Dr. Goates responded he was hoping to reach Dr.

Brown by telephone today to talk with the Board but was unable to reach him.

Dr. Lamb made a motion to amend the Order to change the word co-manage to supervisor arrangement and then list the requirements. Dr. Pingree seconded the motion. The Board vote was unanimous.

Mr. Lau stated Dr. Goates has been represented by Gregory K. Skordas, attorney. He asked Dr. Goates if he is comfortable with Ms. Taxin making changes as they are legal changes. He reminded Dr. Goates that the suspension was lifted without Mr. Skordas being present and Dr. Goates is without the guidance of counsel again today. He stated Mr. Skordas is not with Dr. Goates to make recommendations but if Dr. Goates desires counsel he needs to inform the Division.

Dr. Goates responded he trusts the process but he did consult with Mr. Skordas after the last meeting as he had already made the appointment.

Dr. Lamb stated the Board briefly discussed the 5 year probation date issue. He stated the language of the last amendment could be interpreted as termination of probation before or after 2010. He stated the spirit from Dr. Goates last appointment was for probation to be 5 years from the date the Division Director signed the last amendment. He stated Dr. Goates is starting fresh again and the Board would like to see him be successful in completing a 5 year probation.

Dr. Goates responded the comments of the Board at the last meeting regarding a 5 year probation is what prompted him to see Mr. Skordas.

Mr. Lau commented Dr. Goates' recent drug tests have all been negative but, based on Dr. Goates past history of being dishonest with the Board, the Board would like to extend the probation for 5 years to see a history of negative drug tests. He stated he believes public policy would support extension of the probation. Mr. Lau recommended Dr. Goates discuss all the issues with Mr. Skordas

prior to making a decision.

Dr. Goates inquired if the Board motion to amend number 10 of the amended Order is unrelated to the termination of probation date.

Mr. Lau responded the amendment to number 10 of the amended Order is to ease the supervision requirement. He stated this is not a negotiation process.

Ms. Taxin responded if Dr. Goates agreed on the 5 year probation she could write one amendment versus several.

Dr. Goates responded he would like to review the amended order carefully first as he believes there are other areas that also should be amended.

Ms. Taxin stated she will amend the order for number 10 and then let Dr. Goates review it as she does not want to make several amendments. She stated the 5 year probation would have language to allow Dr. Goates to request early termination if he meets the requirements of the Stipulation and Order.

Dr. James Pingree made a motion to amend the Order and remove the supervisor co-manage requirement. Dr. Fowler seconded the motion. The Board vote was unanimous.

Ms. Taxin stated she will draft an amendment to the Order and send it to Dr. Goates to review with Dr. Brown.

Dr. Lamb asked Dr. Goates to respond to the CS database list regarding prescriptions written.

Dr. Goates responded he believes they are refills as he has not written any CS prescriptions since November 2008.

Dr. Lamb requested Dr. Goates to explain his relationship with Dr. LeRoy as there is a letter from him dated April 1, 2009.

Dr. Goates responded Dr. LeRoy is his internist and wrote the letter to confirm he has a copy of the Stipulation and Order.

Dr. Fowler asked Dr. Goates what type of arrangement he made with patients from his private practice as he cannot see them again if he is no longer in private practice.

Dr. Goates responded he has closed his private practice and notified each patient in November to follow-up with their primary care Physician. He stated he advised them to see another Psychiatrist if they need additional psychiatric care. He stated he still has correspondence and is sending out patient records upon receiving requests. Dr. Goates explained the records are retained in a locked file at his wife's home.

Dr. Lamb reminded Dr. Goates to maintain sobriety, attend AA, PIR and aftercare meetings to be in compliance. He again requested Dr. Goates to notify Dr. Brown of the Board's desire to meet with him either in person or telephonically if he will arrange his schedule.

Dr. Goates thanked the Board and Ms. Taxin for their consideration on amending the Order.

The Board determined Dr. Goates is currently in compliance with his Stipulation and Order.

Ms. Harry again reminded Dr. Goates to submit all his paperwork by April 28, 2009 to be in compliance with his Stipulation and Order.

An appointment was made for Dr. Goates to meet again May 13, 2009.

DISCUSSION ITEMS:

FYI

Ms. Taxin informed the Board FSMB has confirmed they will meet with the Utah Board on August 12, 2009. She stated she sent the list of items the Board requested they discuss and they also have information to talk about. Ms. Taxin stated FSMB will present for an hour during lunch and Board members may order their own lunch or bring it with them. Ms. Taxin

stated she invited the Osteopathic Physician Board to meet during the presentation time so FSMB will only have to come out to Utah one time.

Dr. Howell asked Ms. Taxin to explain the purpose for FSMB to visit with the Board.

Ms. Taxin explained that she received a letter from FSMB stating they meet periodically with the State Boards to get to know them and to discuss any issues they may be having. She stated they also update the Boards on important issues.

Dr. Bennion suggested Ms. Taxin again ask the Board in July if there are any additional subjects they would like FSMB to discuss.

Ms. Taxin thanked Dr. Bennion for the suggestion and will include it for discussion at the July meeting.

Review May for Change of Meeting Date

Ms. McCall stated there is a conflict with the May 13, 2009 Board meeting date and asked if Board members could meet either May 6th or May 20th. Upon checking schedules the Board determined there were too many conflicts with their schedules. The meeting will continue to be held May 13, 2009 as scheduled.

CORRESPONDENCE:

James A. L. Mathers, Jr., MD, FCCP, letter regarding Evidence-based Educational Guidelines of CME

Ms. Taxin stated she receives random correspondence regarding different issues. She requested the Board to review Dr. Mathers information regarding CME and its importance.

Board members reviewed the information with no action taken.

NEXT MEETING SCHEDULED FOR:

May 13, 2009

ADJOURN:

The time is 12:33 pm and the Board meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

May 13, 2009
Date Approved

(ss) Marc E. Babitz, MD
Chairperson, Utah Physicians Licensing Board

April 16, 2009
Date Approved

(ss) Noel Taxin
Bureau Manager, Division of Occupational &
Professional Licensing